

In re:
Victor H. Maia
Debtor(s)

Case No. 18-16907-amc
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0313-2
Date Rcvd: Dec 17, 2020

User: Adminstra
Form ID: pdf900

Page 1 of 3
Total Noticed: 11

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 19, 2020:

Recip ID	Recipient Name and Address
db	+ Victor H. Maia, 79 Redwood Drive, Richboro, PA 18954-1646
cr	Anthony Patterson, 3228 Fountain St., Philadelphia, PA 19121-1727
acc	+ Bennett J. Sady & Company, P.C., Bennett J. Sady, 501 Office Center Drive, Suite 126, Fort Washington, PA 19034-3267
cr	+ Diana Wilson, 2517 W. Sergeant St., Philadelphia, PA 19132-4137
r	+ Keller Williams Real Estate, 584 Middletown Blvd. Suite A-50, Langhorne, PA 19047-4403
cr	+ Maurice Butts, 1023 West Thompson Street, Philadelphia, PA 19122-4117
cr	+ WELLS FARGO BANK, N.A., C/O POWERS, KIRN & ASSOCIATES, LLC, 8 NESHAMINY INTERPLEX DRIVE SUITE 215, TREVOSE, PA 19053-6980
cr	+ Willie Jamar Nobels, c/o Mark Pfeiffer, Esq., Buchanan Ingersoll & Rooney PC, 50 S. 16th Street, Suite 3200 Philadelphia, PA 19102-2555

TOTAL: 8

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	Email/Text: megan.harper@phila.gov	Dec 18 2020 05:04:00	City of Philadelphia, Law Revenue Department, c/o Pamela Elchert Thurmond, 1401 JFK Boulevard, 5th Floor, Municipal Services Bldg, Philadelphia, PA 19102
cr	Email/Text: RVSVCBICNOTICE1@state.pa.us	Dec 18 2020 05:03:00	Commonwealth of Pennsylvania, Department of Revenu, Bureau of Compliance, Dept. 280946, Harrisburg, PA 17128-0946
cr	+ Email/Text: steve@needlelawyer.com	Dec 18 2020 05:02:00	G.H. Harris Associates, Inc., c/o Stephen L. Needles, Esq., 80 North Second Street Pike, Churchville, PA 18966-1057

TOTAL: 3

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
intp		Natasha Rivera

TOTAL: 1 Undeliverable, 0 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains

District/off: 0313-2

User: Adminstra

Page 2 of 3

Date Rcvd: Dec 17, 2020

Form ID: pdf900

Total Noticed: 11

the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 19, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 17, 2020 at the address(es) listed below:

Name	Email Address
AMANDA L. RAUER	on behalf of Creditor WELLS FARGO BANK N.A. Amanda.rauer@pkallc.com, chris.amann@pkallc.com;nick.bracey@pkallc.com;Samantha.gonzalez@pkallc.com;jill@pkallc.com;mary.raynor-paul@pkallc.com;harry.reese@pkallc.com
DENISE A. KUHN	on behalf of Creditor Commonwealth of Pennsylvania Department of Revenue dkuhn@attorneygeneral.gov
EDMOND M. GEORGE	on behalf of Defendant Victor H. Maia michael.vagnoni@obermayer.com;turner.falk@obermayer.com;Lucille.acello@obermayer.com;helen.belair@obermayer.com;colleen.schmidt@obermayer.com
EDMOND M. GEORGE	on behalf of Debtor Victor H. Maia michael.vagnoni@obermayer.com;turner.falk@obermayer.com;Lucille.acello@obermayer.com;helen.belair@obermayer.com;colleen.schmidt@obermayer.com
GEORGE M. CONWAY	on behalf of U.S. Trustee United States Trustee george.m.conway@usdoj.gov
HARRY B. REESE	on behalf of Creditor WELLS FARGO BANK N.A. bankruptcy@powerskirn.com
JILL MANUEL-COUGHLIN	on behalf of Creditor WELLS FARGO BANK N.A. bankruptcy@powerskirn.com
KARINA VELTER	on behalf of Creditor WELLS FARGO BANK N.A. amps@manleydeas.com
KARINA VELTER	on behalf of Creditor PNC BANK NATIONAL ASSOCIATION amps@manleydeas.com
MARK D. PFEIFFER	on behalf of 3rd Pty Defendant Anthony Patterson mark.pfeiffer@bipc.com donna.curcio@bipc.com
MARK D. PFEIFFER	on behalf of Counter-Defendant Diana Wilson mark.pfeiffer@bipc.com donna.curcio@bipc.com
MARK D. PFEIFFER	on behalf of Creditor Willie Jamar Nobels mark.pfeiffer@bipc.com donna.curcio@bipc.com
MARK D. PFEIFFER	on behalf of Creditor Diana Wilson mark.pfeiffer@bipc.com donna.curcio@bipc.com
MARK D. PFEIFFER	on behalf of Creditor Maurice Butts mark.pfeiffer@bipc.com donna.curcio@bipc.com
MARK D. PFEIFFER	on behalf of Plaintiff Diana Wilson mark.pfeiffer@bipc.com donna.curcio@bipc.com
MARK D. PFEIFFER	on behalf of Plaintiff Willie Jamar Nobles mark.pfeiffer@bipc.com donna.curcio@bipc.com
MARK D. PFEIFFER	on behalf of Counter-Defendant Willie Jamar Nobles mark.pfeiffer@bipc.com donna.curcio@bipc.com
MICHAEL D. VAGNONI	on behalf of Defendant Victor H. Maia michael.vagnoni@obermayer.com Lucille.acello@obermayer.com;helen.belair@obermayer.com;coleen.schmidt@obermayer.com;turner.falk@obermayer.com
MICHAEL D. VAGNONI	on behalf of 3rd Party Plaintiff Victor H. Maia michael.vagnoni@obermayer.com Lucille.acello@obermayer.com;helen.belair@obermayer.com;coleen.schmidt@obermayer.com;turner.falk@obermayer.com
MICHAEL D. VAGNONI	on behalf of Debtor Victor H. Maia michael.vagnoni@obermayer.com

District/off: 0313-2

User: Adminstra

Page 3 of 3

Date Rcvd: Dec 17, 2020

Form ID: pdf900

Total Noticed: 11

Lucille.acello@obermayer.com;helen.belair@obermayer.com;coleen.schmidt@obermayer.com;turner.falk@obermayer.com

PAMELA ELCHERT THURMOND

on behalf of Creditor City of Philadelphia pamela.thurmond@phila.gov karen.a.blaylock@phila.gov

REBECCA ANN SOLARZ

on behalf of Creditor PNC BANK NATIONAL ASSOCIATION bkgroup@kmlawgroup.com

SARAH K. MCCAFFERY

on behalf of Creditor WELLS FARGO BANK N.A. bankruptcy@powerskirn.com

STEPHEN L. NEEDLES

on behalf of Creditor G.H. Harris Associates Inc. steve@needlelawyer.com

United States Trustee

USTPRegion03.PH.ECF@usdoj.gov

TOTAL: 25

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re:	:	Chapter 11
	:	
VICTOR H. MAIA,	:	Case No. 18-16907-AMC
	:	
Debtor.	:	
	:	

**CONSENT ORDER GRANTING MOTIONS OF DEBTOR VICTOR H. MAIA FOR
AUTHORITY TO SELL REAL PROPERTIES AT PRIVATE SALE, FREE AND CLEAR
OF ALL LIENS, CLAIMS, AND ENCUMBRANCES PURSUANT TO 11 U.S.C. § 363**

AND NOW, this 17th day of December, 2020, upon consideration of the Motions of Victor H. Maia, the debtor and debtor in possession (the “Debtor”), by and through his undersigned counsel, Obermayer Redman Maxwell & Hippel LLP, for the entry of an order granting the Debtor authority to sell (i) his property located at 1403 Sellers Street, Philadelphia, PA 19124 at private sale to Asher Manuel Design Build LLC, and (ii) his property located at 2051 Wakeling Street, Philadelphia, PA 19124 at private sale to JDJ Fund D, LLC (the “Sales”), free and clear of all liens, claims, and encumbrances pursuant to 11 U.S.C. § 363 (the “Motions”)¹ and all responses thereto having been resolved, and this Court being satisfied that due notice of the Motions and the Sales have been provided by the Debtor pursuant to 11 U.S.C. § 363, Rules 2002(a)(2), (c)(1), (k), 6004(a) and 9007 of the Federal Rules of Bankruptcy Procedure and Local Rules 2002-1, 6004-1, and 9014-3 of the Local Bankruptcy Rules for the United States Bankruptcy Court for the Eastern District of Pennsylvania; and the parties consenting to the sale of the properties located at 1403 Sellers Street, Philadelphia, PA 19124 and 2051 Wakeling Street, Philadelphia, PA 19124 (collectively, the “Properties);

IT IS HEREBY ORDERED THAT:

¹ Each capitalized term used but not defined herein shall have the meaning ascribed thereto in the Motions.

1. The Motions are in all respects GRANTED.

2. The Debtor is authorized to sell (i) the property located at 1403 Sellers Street, Philadelphia, PA 19124 at private sale to Asher Manuel Design Build LLC, and (ii) the property located at 2051 Wakeling Street, Philadelphia, PA 19124 at private sale to JDJ Fund D, LLC, pursuant to § 363(b), (f), (h), and (m) of the Bankruptcy Code, free and clear of any and all liens, claims or encumbrances, on an “as is, where is” basis and no party to this Consent Order shall take any action to prevent or inhibit the Sales.

3. Fifty percent (50%) of the net proceeds from the Sales shall be paid to Willie Jamar Nobles, individually and as administrator of the estate of Jamar Willie Nobles, Diana Wilson, as administratrix of the estate of Rasheedah Wilson and in her own right, and Maurice Butts, as administrator of the estate of Rasheed Wilson, Anthony Patterson, Administrator of the Estate of Shanai Nasirah Patterson (the “Wrongful Death Creditors”) and shall be netted against any claim the Wrongful Death Creditors are to be paid pursuant to the Plan or otherwise on account of the Judgment. In determining the amount of the net proceeds from the Sales, the only deductions that may be made from the gross proceeds of the Sales shall be reasonable and customary closing costs subject to the approval and consent of the Wrongful Death Creditors, and such consent shall not be unreasonably withheld by the Wrongful Death Creditors.

4. The remaining fifty percent (50%) of the net proceeds from the Sales shall be held in an escrow account with [insert escrow agent] and may not be disbursed without further court order or written approval of the Wrongful Death Creditors except as follows:

- a. The Debtor may access and make use of up to \$5,000.00 of the funds held in escrow (\$2,500.00 from each of the sales) without further approval or further order of the Bankruptcy Court; and

- b. If the Debtor wishes to access and make use of more than \$5,000.00 of the funds in escrow, the Debtor must seek and obtain the authority of the Wrongful Death Creditors. Such authority shall not be reasonably denied by the Wrongful Death Creditors.

5. The Wrongful Death Creditors' liens on the Properties, to the extent such liens are valid and are not avoidable, shall attach to the funds in the escrow account to the extent and priority of the Wrongful Death Creditors' valid liens against the Properties, automatically by operation of this Order, without the need for further order of this Court and without the requirement of any act to attach or perfect the liens.

6. Except as set forth in this Consent Order, the Debtor and the Wrongful Death Creditors each reserve all of their respective rights including but not limited to all rights and defenses asserted in the Adversary Proceeding and with respect to future sales of the Debtor's real property, if any.

7. By January 5, 2021, the Debtor and the Wrongful Death Creditors shall select a mediator who shall mediate all issues contained in the adversary proceeding of Nobles, et al. v. Maia, Adversary No. 19-0002-AMC, and all Plan confirmation issues. All response deadlines with respect to the adversary proceeding shall be stayed until the expiration of ten (10) days following the conclusion of the mediation.

8. PNC Bank, N.A.'s liens on the Properties shall be paid in full at closing.

9. The City of Philadelphia's statutory and judicial liens on the Properties shall be paid in full at closing.

10. This Court shall retain jurisdiction over any matters related to or arising from the implementation of this Order.

11. The fourteen (14) day stay imposed by Fed. R. Bankr. P. 6004(h) is hereby
waived and this Order is effective immediately upon its entry.

BY THE COURT



Honorable Ashely M. Chan
United States Bankruptcy Judge

Agreed and consented to by:

/s/ Michael D. Vagnoni
Michael D. Vagnoni, Esquire
Obermayer Rebmann Maxwell & Hippel
LLP
Attorneys for Debtor

Karina Velter, Esquire
Attorney for Creditor,
PNC Bank, National Association

/s/ Pamela Elchert Thurmond
Pamela Elchert Thurmond, Esquire
Attorney for Creditor,
The City of Philadelphia

/s/ Mark D. Pfeiffer
Mark D. Pfeiffer, Esquire
Attorney for Creditors,
Maurice Butts, Willie Jamar Nobels, and
Diana Wilson

/s/ Karina Velter